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Attorneys for Defendant,  
COSTCO WHOLESALE CORPORATION

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**

TERESA ALVARADO CURIEL, an  
individual,

CASE NO. 2:22-CV-02224-DAD-DMC

Plaintiff,

**STIPULATED REQUEST TO MODIFY  
SCHEDULING ORDER**

vs.

COSTCO WHOLESALE MEMBERSHIP,  
INC., a California Corporation; COSTCO  
WHOLESALE CORPORATION a Washington  
Corporation; CLIMATE PROS, LLC, a  
Delaware Limited Liability Company; and  
DOES 1 to 50, inclusive,

Defendants.

**AND RELATED CROSS ACTION** /

**IT IS HEREBY STIPULATED** by and between the parties to this action, through their  
respective counsel, as follows:

1. On or about April 28, 2023, the Court issued its order regarding pretrial scheduling.  
The order required that any private mediation among the parties be completed on or before

1 November 17, 2023; a settlement conference was set for January 24, 2024; the pretrial conference  
2 is scheduled for November 12, 2024, and jury trial is set to commence January 27, 2025.

3 2. The parties have agreed to engage in private mediation of this matter. However,  
4 under the current scheduling order, the parties are unable to schedule a mutually agreeable  
5 mediation date prior to the deadline of November 17, 2023.  
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7 3. It is anticipated that a 90-day continuance of the mediation deadline would  
8 completely resolve the issue and would give the parties sufficient time to engage in a productive  
9 mediation. Moreover, the continuance of the mediation deadline would not result in prejudice to  
10 any party because it would not require any changes to the current trial date, discovery deadlines,  
11 or dispositive motion deadlines.  
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13 4. Based on the foregoing, the parties respectfully request the Court modify the date  
14 set forth in the scheduling order for completing private mediation from November 17, 2023 to  
15 **February 16, 2024**. It is further requested that the court-supervised settlement conference be reset  
16 for **March 20, 2024**, or as soon thereafter as the Court deems appropriate.  
17

18 Dated: November 29, 2023

MAIRE & DEEDON

19  
20 /s/

PATRICK L. DEEDON

21 JOHN R. POWELL

22 Attorneys for Defendant,

COSTCO WHOLESALE CORPORATION

23  
24 Dated: November 7, 2023

RAFII & ASSOCIATES, P.C.

25 /s/

26 PETER WILLIAMSON

27 Attorneys for Plaintiff,

28 TERESA ALVARADO CURIEL

1 Dated: November 7, 2023

MACDONALD & CODY, LLP

2  
3 /s/

4 DEBRA BRAASCH  
5 Attorneys for Defendant  
6 CLIMATE PROS, LLC  
7

8 **ORDER**

9 **IT IS SO ORDERED** and the pretrial scheduling order is modified as follows:

10 1. Any private mediation of this matter shall be completed on or before **February 16,**  
11 **2024.**

12 2. The settlement conference set for January 24, 2024 is vacated. A new settlement  
13 conference is set for **March 27, 2024, at 10:00 a.m.**<sup>1</sup>  
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15  
16 Dated: November 29, 2023



17 DENNIS M. COTA  
18 UNITED STATES MAGISTRATE JUDGE  
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<sup>1</sup> The date requested by the parties – March 20, 2024 – is not available on the Court's calendar.